

## **Part 1**

### **General Provisions**

#### **63C-4a-101 Title.**

- (1) This chapter is known as the "Constitutional and Federalism Defense Act."
- (2) This part is known as "General Provisions."

Enacted by Chapter 101, 2013 General Session

#### **63C-4a-102 Definitions.**

As used in this chapter:

- (1) "Account" means the Constitutional Defense Restricted Account, created in Section 63C-4a-402.
- (2) "Commission" means the Commission on Federalism, created in Section 63C-4a-302.
- (3) "Constitutional defense plan" means a plan that outlines actions and expenditures to fulfill the duties of the commission and the council.
- (4) "Council" means the Constitutional Defense Council, created in Section 63C-4a-202.
- (5) "Federal governmental entity" means:
  - (a) the president of the United States;
  - (b) the United States Congress;
  - (c) a United States agency; or
  - (d) an employee or official appointed by the president of the United States.
- (6) "Federal law" means:
  - (a) an executive order by the president of the United States;
  - (b) a statute passed by the United States Congress;
  - (c) a regulation adopted by a United States agency; or
  - (d) a policy statement, order, guidance, or action by:
    - (i) a United States agency; or
    - (ii) an employee or official appointed by the president of the United States.
- (7) "R.S. 2477" means Revised Statute 2477, codified as 43 U.S.C. Section 932.
- (8) "R.S. 2477 plan" means a guiding document that:
  - (a) is developed jointly by the Utah Association of Counties and the state;
  - (b) is approved by the council; and
  - (c) presents the broad framework of a proposed working relationship between the state and participating counties collectively for the purpose of asserting, defending, or litigating state and local government rights under R.S. 2477.
- (9) "United States agency" means a department, agency, authority, commission, council, board, office, bureau, or other administrative unit of the executive branch of the United States government.

Enacted by Chapter 101, 2013 General Session

#### **63C-4a-103 Policy for public lands within the state.**

It is the policy of the state to claim and preserve by lawful means the rights of the state and its citizens to determine and affect the disposition and use of federal lands within the state as those rights are granted by the United States Constitution, the Utah Enabling Act, and other applicable law.

Renumbered and Amended by Chapter 101, 2013 General Session